

AMENDING SECTION 1 OF THE ACT TO DIRECT THE SECRETARY OF THE INTERIOR TO NOTIFY THE STATE OF VIRGINIA THAT THE UNITED STATES ASSUMES POLICE JURISDICTION OVER THE LANDS EMBRACED WITHIN THE SHENANDOAH NATIONAL PARK

MAY 25, 1942.—Ordered to be printed

Mr. HATCH, from the Committee on Public Lands and Surveys, submitted the following

## REPORT

[To accompany H. R. 5016]

The Committee on Public Lands and Surveys, to whom was referred the bill (H. R. 5016) to amend section 1 of the act approved August 19, 1937 (50 Stat. 700), entitled "An act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes," having considered the same report favorably thereon without amendment and with the recommendation that the bill do pass.

Facts concerning this proposed measure are set forth in the letter of the Secretary of the Interior to the Chairman of the Committee on the Public Lands of the House of Representatives, which letter is hereinbelow set forth in full and made a part of this report.

THE SECRETARY OF THE INTERIOR,  
Washington, July 18, 1941.

Hon. J. W. ROBINSON,  
Chairman, Committee on the Public Lands,  
House of Representatives.

MY DEAR MR. CHAIRMAN: This Department appreciates the opportunity presented by your letter of June 14, 1941, to submit a report on H. R. 5016, a bill relating to jurisdiction over the lands embraced within the Shenandoah National Park.

I recommend that H. R. 5016 be enacted.

This proposed legislation, which is essentially the same as other national-park legislation heretofore enacted by Congress for the purposes in question, would reconcile questions relating to Federal jurisdiction over the Shenandoah National Park.

Exclusive police jurisdiction, subject to certain reservations, over certain of the lands included within the Shenandoah National Park was ceded to the United States by the Commonwealth of Virginia under the act of the General Assembly of Virginia approved March 22, 1928 (title 10-A, ch. 31-F, Code of Virginia,

1936). This cession of jurisdiction was accepted by the United States pursuant to the act of August 19, 1937 (50 Stat. 700).

The present unsettled jurisdictional situation exists because of the fact that under the provisions of section 7 of the act of the General Assembly of Virginia, exclusive jurisdiction was ceded to the United States only in the event park lands are "conveyed" to the United States by deed or deeds executed by the Commonwealth of Virginia. However, there are lands in Federal ownership within the park which have not thus been "conveyed" to the Federal Government, although title to such lands is vested in the United States. Consequently, the Commonwealth of Virginia and the United States have concurrent jurisdiction over such lands, as distinguished from the park lands acquired by conveyances from the Commonwealth.

Since it became apparent that the efficient administration of the laws and regulations applicable within the park could not be maintained unless uniform Federal jurisdiction existed throughout the park, the General Assembly of Virginia enacted legislation to correct this situation. The latest act of the general assembly cedes uniform jurisdiction to the Federal Government over all lands within the Shenandoah National Park as it is now constituted or as it may hereafter be extended (act of the General Assembly of Virginia approved Apr. 1, 1940; Acts of 1940, ch. 402, p. 725). It is highly desirable that this latter cession of jurisdiction be accepted by the United States as soon as possible. H. R. 5016 is designed to accomplish this purpose by amending the act of August 19, 1937, *supra*, to conform to the latter Virginia act.

I have been advised by the Bureau of the Budget that there would be no objection by that Bureau to the presentation of this report to the Congress.

Sincerely yours,

HAROLD L. ICKES,  
*Secretary of the Interior.*